(4)

OFFICE

**IN THE HIGH COURT OF CHHATTISGARH , BILASPUR**

**W.P. No.2594 OF 2003**

**PETITIONER** : **TECHFAB SYSTEMS, A DIVISION OF TECHNOFAB ENGINERRING LTD.** A Company Registered under the Companies Act, 1956, Having its Registered Office at 507, Eros Apartment, 56 Nehru Place, New Delhi-19.

Factory at TECHNOFAB HOUSE, Plot No.5, Sector 27-C, Mathura Road, Faridabad-121003 ( Haryana).

Versus

**RESPONDENTS**

1. **C.G. State Electricity Board,** Through : Its Secretary, C.S.E.B. Head Quarter, Daganiya, Raipur (C.G.).
2. **Chief Engineer ( O& M Gen.)** C.S.E.B., 58, Sundar Nagar, Raipur (C.G).
3. **TRANSWEIGH INDIA PVT. LTD.** Having its Registered Office , at No.603 Nippon-I, Juhutara Road, Juhu, Mumbai. .

No. 21926/03
Presented by Shri D. Dubey
dated 25.06.03

पंजीयन अधिकृत
एस.के. शर्मा
बिलासपुर तहसील जेल

(5)

**WRIT PETITION UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPORPRIATE WRIT**

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

# आदेश पत्रक

मामला क्रमांक W P No. 2594 सन् 2003 200

विरुद्ध

| आदेश का दिनांक आदेश क्रमांक सहित | आदेश हस्ताक्षर सहित | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
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| | **09/01/2004** | |

Shri Vivek Tankha, Sr. Advocate with Shri Prashant Misnhra, Advocate for the petitioner.

Shri P.S. Nair, Sr. Advocate with Shri Vinod Deshmukh, counsel for the respondent no.1 and 2.

Shri J.B. Chinai, Sr. Advocate with Shri P. Diwakar, Advocate and Shri Sanjay Jain, Advocate for respondent no.3.

At the out set, Mr. P.S. Nair, Sr. Advocate submitted that he is making statement at the Bar that so far no decision has been taken by respondents no. 1 and 2 about awarding of contract to any of the parties and if the petitioner makes a representation raising all his grievances that will be considered by the respondent and afresh decision will be taken on the whole issue including pre-qualification and evaluation of tenders. Mr. Vivek Tankha, learned Sr. Advocate for the petitioner has agreed to this proposal and submitted that the petitioner may be allowed to make a representation raising all his grievances and respondents may be directed to take afresh decision after considering all the points

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

# आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

| आदेश का दिनांक आदेश क्रमांक सहित | आदेश हस्ताक्षर सहित - 02 - | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
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raised by the petitioner in an objective manner and with a reasoned order regarding the pre-qualification and evaluation.

In view of the above submissions made by learned counsel for the parties, the petition is disposed of with the following order that the petitioner is allowed to make a detailed representation within 15 days raising all his grievances to the respondents no.1 and 2 with a copy of the same to respondent no.3 and if the respondent no.3 wants to file a reply/representation of the same, he will be entitled to make a reply/representation. After considering the representation/reply, respondents no. 1 and 2 will take a decision afresh on the whole issue including pre-qualification and evaluation regarding the awarding of contract and if respondents no. 1 and 2 want to seek any clarification or assistance, they can do so by calling the petitioner and respondent no.3 and final decision taken by respondents no. 1 and 2 will be communicated to the parties immediately.

Mr. Vivek Tankha, Sr. Advocate submits that after final afresh decision taken, if the petitioner feels aggrieved, he may be permitted to file the petition in accordance with law.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

# आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

| आदेश का दिनांक आदेश क्रमांक सहित | आदेश हस्ताक्षर सहित - 03 - | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
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| | Both the parties, if they are so advised, will be at liberty to file petition against the decision of respondents no. 1 and 2.<br>With the above observations and directions, this writ petition stands disposed of.<br>Parties are entitled for certified copy of this order.<br>Sd/-<br>L.C.BHADOO<br>Judge | |